

**DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS**

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**ADP BULLETIN**

<b><i>Conlan v. Bontá and Conlan v. Shewry (Case #987 697)</i></b>		Issue Date: February 8, 2007 Expiration Date: N/A	Issue No.  07-01
Deputy Director Approval  Michael S. Cunningham Deputy Director Program Services Division	Function: [ ] Information Management [ ] Quality Assurance [ ] Service Delivery [ X ] Fiscal [ ] Administration	Supersedes Bulletin/ADP Letter No.  N/A	

**PURPOSE**

This bulletin provides information on the above-entitled court case requiring reimbursement to Medi-Cal beneficiaries for out-of-pocket expenses incurred for medical and dental services received beginning on or after June 27, 1997. A copy of the two orders is enclosed (Exhibit A dated October 27, 2006 and Exhibit B dated November 17, 2006).

**DISCUSSION**

In general the court order stipulates the following:

1. A Beneficiary Reimbursement process be established.
2. Reimbursement must be paid to Medi-Cal beneficiaries who paid out of pocket expenses for Medi-Cal covered services during specific eligibility periods, which include:
  - a. The retroactive eligibility period (up to 3 months prior to month of application to the Medi-Cal program);
  - b. The evaluation period (from the time of application to the Medi-Cal program until eligibility is established); and,
  - c. The post-approved period (the time period after eligibility is established).



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The Department of Health Services (DHS) is conducting a mass mailing to all Medi-Cal head-of-households and all former Medi-Cal beneficiaries with eligibility back to June 27, 1997. A copy of the letter issued by the DHS dated January 12, 2007 (#07-01) enclosed (Exhibit C) which includes both the English and Spanish version of the Beneficiary notice.

Under separate cover, the Department of Alcohol and Drug Programs (ADP) will be issuing specific instructions regarding the reimbursement claim process. These instructions will identify the county and/or provider involvement. Although DHS is the lead Department in implementing the court order the initial point of contact for all claims is Electronic Data Systems (EDS). Upon their review and determination, the claim will either be processed by EDS or will be referred to the appropriate responsible Department, (i.e. Department of Mental Health, Department of Social Services, or ADP).

## REFERENCES

*Conlan v. Bontá and Conlan v. Shewry* (Case #987 697)

## BACKGROUND

Petitioners initiated the lawsuit entitled *Conlan v. Bontá* in June 1997 regarding reimbursement for out-of-pocket services. As a result of several rulings and appeals, the case has been settled and the court order issued (*Conlan v. Shewry*).

## QUESTIONS/MAINTENANCE

If you have any questions related to the Conlan lawsuit, please contact EDS at (916) 403-2007 or ADP at (800) 572-1978.

## EXHIBITS

[Exhibit A – \*Conlan v. Shewry\* court order dated October 27, 2006](#)

[Exhibit B – \*Conlan v. Shewry\* court order dated November 17, 2006](#)

[Exhibit C – Department of Health Services Letter \(#07-01\)](#)

[Exhibit D – Beneficiary Notice \(English\)](#)

[Exhibit E – Beneficiary Notice \(Spanish\)](#)

## DISTRIBUTION

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